reporting requirements, contained in Title 326 IAC 8–1–2, do not provide for adequate enforcement of the graphic arts rule. Region 5 has provided the Indiana Department of Environmental Management with a copy of the June 1992 Model VOC Rules. The following deficiencies must be corrected in order for USEPA to take final action approving the rule:

1. General

(a) The monitoring, recordkeeping and reporting (MRR) requirements must be made more comprehensive to include more than: (1) Daily volume-weighted averages of all coatings applied in a coating or printing line; and (2) records of daily usage of gallons of solids coating and VOC content of each coating or ink solvent. For instance, when a source does not comply with daily weighted averaging (i.e., when the source complies with ''complying coatings or inks'' such as low VOC coating), then daily recordkeeping must be kept which specifies both the VOC content and the ink or coating identification. Alternatively, when a source complies by using control devices, then records of monitoring parameters and other information must also be kept (See (B) Sources Using Control Devices, below; See also, June 1992 Model VOC Rules).

(b) The MRR requirements, should specify a period of time (i.e., 5 years) during which records shall be maintained at the facility. The rules only require that: (1) The owner/operator ''keep records to demonstrate compliance with the permit or document restrictions'' (326 IAC 8–1–1); and (2) ''records * * * shall be made available upon request'' (326 IAC 8–1–2).

2. Sources Using Control Devices

The Indiana recordkeeping/reporting rules do not contain the requirement for the recordkeeping or reporting of new or existing control devices. Records and reports that should be maintained include monitoring data, calibration and maintenance logs, and logs of operating time. Indiana rule 326 IAC 8–1–2(7) only requires the maintenance of records of daily usage of gallons of solids coating, VOC content of each coating or ink solvent, and daily emissions in pounds of VOC (See June 1992 Model VOC Rules).

3. Exempt Sources

The Indiana rules do not require the maintenance of records and reports for exempt sources such as: Information pertaining to the initial certification, calculations demonstrating that total potential emissions of VOC from all flexographic and rotogravure printing presses at the facility will be less than the required limits for each year, the maintenance of records for a period of 5 years, and the requirement that any exceedances will be reported to the Administrator within 30 days after the exceedance occurs (See Model VOC Rules). Exempt sources should calculate: (1) Yearly potential emissions, (2) yearly actual emissions, and (3) the name, identification, VOC content, and yearly volume of coatings/inks.

Based on EPA's preliminary analysis that the State's submittal was unapprovable, Indiana submitted to USEPA, a letter dated December 14, 1994, committing to the necessary rule revision. In accordance with an attached schedule, Indiana expects a final rule to be adopted and submitted to USEPA by January 1996.

III. Proposed Rulemaking Action and Solicitation of Public Comment

The USEPA has reviewed the Indiana graphic arts rule against the June 1992 Model Rule and is proposing a conditional approval because the State has committed to correct the rule so that it fully comports with the Federal requirements described above. Upon a final conditional approval by USEPA, if the State ultimately fails to meet its commitment to correct the deficiency, noted herein, by January 31, 1996, the date the State committed to in its commitment letter, then USEPA's action for the State's requested SIP revision will automatically convert to a final disapproval.

Public comments are solicited on the requested SIP revision and on USEPA's proposed conditional approval. Public comments received by February 9, 1995 will be considered in the development of USEPA's final rulemaking action.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989, (54 FR 2214–2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. (5 U.S.C. 603 and 604.) Alternatively, USEPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, Part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Act forbids USEPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256–66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Volatile organic compounds.

Authority: 42 U.S.C. 7401–7671q.

Dated: December 29, 1994.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 95–550 Filed 1–9–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 70

[FRL–5136–6]

Operating Permits Program Rule Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period for proposal to revise the operating permits program regulations.

SUMMARY: On August 29, 1994, EPA proposed in the **Federal Register** (59 FR 44460) revisions to the operating permits regulations in part 70 of chapter I of title 40 of the Code of Federal Regulations. The comment period provided in that notice was 90 days, closing on November 28, 1994. On November 21, 1994, a **Federal Register** notice was published (59 FR 59974)

extending that comment period an additional 45 days until January 12, 1995. Today's action extends that comment period an additional 19 days until January 31, 1995.

DATES: Comments must be received by January 31, 1995.

ADDRESSES: Comments must be mailed (in duplicate if possible) to: EPA Air Docket (LE–131), Attn: Docket No. A–93–50, room M–1500, Waterside Mall, 401 M Street SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Michael Trutna (telephone 919/541–5345), mail drop 12, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Information Transfer and Program Integration Division, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: Part 70 contains regulations requiring States to develop, and submit to EPA for approval, programs for issuing operating permits to major, and certain other, stationary sources of air pollution. The minimum elements of operating permits programs are contained in part 70 which was promulgated on July 21, 1992 (57 FR 32250).

Subsequent to promulgation of part 70, nearly 20 entities, including State and local governments, environmental groups, and industry associations, petitioned for judicial review of the part 70 regulations. One of the key aspects of the litigation and of an operating permits program is the system for revising permits to incorporate changes at permitted sources.

Because of the complexity of the proposed revisions, potential commenters asserted that the 90-day comment period provided was not long enough to prepare comprehensive comments on the permit revision system as well as all the other proposed revisions. The comment period was subsequently extended an additional 45 days to allow time for preparation of comments, primarily on how to fashion a more workable permit revision system. Several requests for an additional extension of the comment period on the proposal notice have been received to allow completion of comment preparation. An additional 19 days is therefore being provided for development and submittal of comments.

Dated: December 28, 1994.

Mary Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 95–549 Filed 1–9–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 70

[AD–FRL–5135–9]

Clean Air Act Interim Approval of Operating Permits Program; City of Albuquerque/Bernalillo County

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes interim approval of the Operating Permits Program submitted by the City of Albuquerque/Bernalillo County. The City of Albuquerque/Bernalillo County's Operating Permits Program was submitted for the purpose of complying with Federal requirements which mandate that States develop, and submit to EPA, programs for issuing operating permits to all major stationary sources, and to certain other sources. In the final rules section of this **Federal Register**, the EPA is promulgating interim approval of the City of Albuquerque/Bernalillo County's Operating Permits Program as a direct final rule without prior proposal because the Agency views this submittal as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, then the direct final will be withdrawn and all public comments will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: Comments on this proposed action must be received in writing by February 9, 1995.

ADDRESSES: Copies of the City/County's submittal and other supporting information used in developing the final rule are available for inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before visiting day.

Environmental Protection Agency, Region 6, Air Programs Branch (6T–AN), 1445 Ross Avenue, suite 700, Dallas, Texas 75202–2733.

City of Albuquerque/Bernalillo County, Environmental Health Department, One Civic Plaza, NW., room 3023, Albuquerque, New Mexico, 87103.

FOR FURTHER INFORMATION CONTACT: Adele D. Cardenas, New Source Review Section, Environmental Protection Agency, Region 6, 1445 Ross Avenue, suite 700, Dallas, Texas 75202–2733, telephone (214) 665–7210.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule of the same title which is located in the Rules section of this **Federal Register**.

Authority: 42 U.S.C. 7401–76719.

Dated: December 23, 1994.

A. Stanley Meiburg,

Acting Regional Administrator (6A).

[FR Doc. 95–548 Filed 1–9–95; 8:45 am]

BILLING CODE 6560–50–P